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Book 2007 Page 2178 Type 06 008 Pages 7

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INDY ✓

ANNC

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CHEK

LISA SMITH, COUNTY RECORDER  
MADISON IOWA

✓ MET \_\_\_\_\_ SPACE ABOVE THIS LINE IS RESERVED FOR RECORDER'S USE \_\_\_\_\_

RECORD AND RETURN TO:  
Alta Real Estate Services, INC.  
PO BOX 551170  
Jacksonville, FL 32256

## POWER OF ATTORNEY

PLEASE RECORD FIRST

Madison, IA

RECORDED - 096644  
JEFF L. THIGPEN  
REGISTER OF DEEDS  
GUILFORD COUNTY, NC  
BOOK: 6556  
PAGE(S): 0278 TO 0283  
06/29/2006 14:58:36

7727347  
09/27/2000 04:01 PM 18.00  
Book - 8390 Pg - 4303-4307  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
FAIRBANKS CAPITAL CORP  
3815 S WEST TEMPLE  
PO BOX 65250  
SLC UT 84165-0250

KCC Deputy  
P. 5p.

When Recorded, Return to:  
Fairbanks Capital Corp.  
Attn: Document Control  
P.O. Box 65250  
Salt Lake City, UT 84165-0250

**LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS that pursuant to the terms of the ~~Trust~~ certain Pooling and Servicing Agreements (each, a PSA and collectively, "the PSAs") identified in Exhibit "A" hereto, MANUFACTURERS AND TRADERS TRUST COMPANY, the trustee (the "Trustee") for the trust ("Trust") established under each PSA, hereby constitutes and appoints FAIRBANKS CAPITAL CORP. ("Fairbanks"), in Fairbanks' capacity as a residential mortgage loan servicer (the "Servicer") pursuant to the terms of:

1. the "Asset Purchase Agreement" dated May 12, 2000 by and between ContiMortgage Corporation and Fairbanks, and
2. the "Order Pursuant to Sections 105, 363(b), (f) and (m) and 365(a), (f), (k) and (m) of the Bankruptcy Code," dated June 21, 2000 and entered in *In re Contifinancial Corp.*, No. 00-B-12184 (AJG), United States Bankruptcy Court, Southern District of New York.,

as its true and lawful attorney-in-fact and in its name, place and stead to take the following designated actions with respect to any mortgage loan (each, a "Mortgage Loan") or other asset held by a Trust.

06/29/2006 GUILFORD CO. NC  
1 MISC DOCUMENTS 96644 \$12.00

1. To ask, demand, sue for, collect and receive all sums of money, debts or other obligations of any kind with respect to a Mortgage Loan which are now or shall after this date become due, owing or payable, or otherwise belong to the Trustee; to settle and compromise any of such debts or obligations that may be or become due to the Trustee; to endorse in the name of the Trustee for deposit in the appropriate account any check payable to or to the order of the Trustee; in each case with respect to a Mortgage Loan.

5 MISC DOC ADDN PGS \$15.00

2. To make demand(s) on behalf of the Trustee upon any or all parties liable on a Mortgage Loan; to declare defaults with respect to a Mortgage Loan; to give notices of intention to accelerate to give notices of acceleration and any other notices as Servicer deems reasonably necessary or appropriate; to post all notices as required by law and the documents securing a Mortgage Loan in order to foreclose such Mortgage Loan; to handle all aspects of foreclosure on behalf of the Trustee including but not limited to conducting the foreclosure sale; bidding for the Trustee and executing all documents, including all deeds and conveyances, needed to effect such foreclosure sale and/or liquidation and transfer of REO property; to file suit and prosecute legal actions against all parties liable for past due amounts under a Mortgage Loan, including but not limited to any deficiency amounts due following foreclosure; and/or to take such other actions and exercise such rights which may be taken by Trustee under the terms of any Mortgage Loan including foreclosure, sale, taking possession of, realization upon all or any part of a Mortgage Loan or any collateral therefor or guaranty thereof.

This instrument is to be construed and interpreted as a Limited Power of Attorney regarding a Mortgage Loan. The enumeration of specific items, acts, rights and powers is not intended to, nor does it give rise to and it is not to be construed as a general power of attorney.

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The rights, powers and authority of the Servicer as attorney-in-fact of the Trustee under this Limited Power of Attorney shall commence on the date of execution hereof and shall remain in full force and effect as a Limited and Revocable Power of Attorney which may be revoked at any time by the Trustee.

This Limited Power of Attorney shall be governed by and construed in accordance with the laws of the State of New York.

~~IN WITNESS WHEREOF the Trustee has hereunto caused this Limited Power of Attorney~~  
to be executed by its duly authorized representatives on this 14<sup>th</sup> day of September 2000

Manufacturers and Traders Trust Company, Trustee

By: Karin W. Cranz  
Name: Karin W. Cranz  
Title: Trust Officer

By: Steven J. Wattie  
Name: Steven J. Wattie  
Title: Trust Officer

STATE OF NEW YORK )  
) ss  
COUNTY OF NEW YORK ERIE )

On September 14, 2000 before me personally appeared Karin W. Cranz and Steven J. Wattie who is/are known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the preceding Limited Power of Attorney and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Barbara A. Ferrulo  
Notary Public

BARBARA A. FERRULO  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 01/29/ 2002

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EXHIBIT "A"

1. ContiMortgage Corporation Pooling and Servicing Agreement Series 1993-4, dated December 1, 1993, between ContiMortgage Corporation and Manufacturers and Traders Trust Company;
2. ContiMortgage Corporation Pooling and Servicing Agreement Series 1994-1, dated February 1, 1994, between ContiMortgage Corporation and Manufacturers and Traders Trust Company;
3. ContiMortgage Corporation Pooling and Servicing Agreement Series 1994-2, dated March 10, 1994, between ContiMortgage Corporation and Manufacturers and Traders Trust Company;
4. ContiMortgage Corporation Pooling and Servicing Agreement Series 1994-3, dated June 1, 1994, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
15. ContiMortgage Corporation Pooling and Servicing Agreement Series 1994-4, dated August 1, 1994, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
16. ContiMortgage Corporation Pooling and Servicing Agreement Series 1994-5, dated December 1, 1994, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
17. ContiMortgage Corporation Pooling and Servicing Agreement Series 1995-1, dated March 1, 1995, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
18. ContiMortgage Corporation Pooling and Servicing Agreement Series 1995-2, dated May 1, 1995, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
19. ContiMortgage Corporation Pooling and Servicing Agreement Series 1995-3, dated August 1, 1995, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
20. ContiMortgage Corporation Pooling and Servicing Agreement Series 1995-4, dated November 1, 1995, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;
21. ContiMortgage Corporation Pooling and Servicing Agreement Series 1996-1, dated February

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1, 1996, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;

22. ContiMortgage Corporation Pooling and Servicing Agreement Series 1996-2, dated June 1, 1996, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;

23. ~~ContiMortgage Corporation Pooling and Servicing Agreement Series 1996-3, dated August 1, 1996, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation and Manufacturers and Traders Trust Company;~~

24. ContiMortgage Corporation Pooling and Servicing Agreement Series 1996-4, dated December 1, 1996, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation and Manufacturers and Traders Trust Company;

25. ContiMortgage Corporation Pooling and Servicing Agreement Series 1997-1, dated February 1, 1997, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation and Manufacturers and Traders Trust Company;

26. ContiMortgage Corporation Pooling and Servicing Agreement Series 1997-2, dated March 1, 1997, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;

27. ContiMortgage Corporation Pooling and Servicing Agreement Series 1997-3, dated June 1, 1997, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;

28. ~~ContiMortgage Corporation Pooling and Servicing Agreement Series 1997-4, dated September 1, 1997, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;~~

29. ContiMortgage Corporation Pooling and Servicing Agreement Series 1997-5, dated December 1, 1997, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;

30. ContiMortgage Corporation Pooling and Servicing Agreement Series 1998-1, dated March 1, 1998, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;

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CONFIDENTIAL COPY

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31. ContiMortgage Corporation Pooling and Servicing Agreement Series 1998-2, dated June 1, 1998, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;
32. ContiMortgage Corporation Pooling and Servicing Agreement Series 1998-3, dated September 1, 1998, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;
- ~~33. ContiMortgage Corporation Pooling and Servicing Agreement Series 1998-4, dated December 1, 1998, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;~~
34. ContiMortgage Corporation Pooling and Servicing Agreement Series 1999-1, dated March 1, 1999, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, and Manufacturers and Traders Trust Company;
35. ContiMortgage Corporation Pooling and Servicing Agreement Series 1999-2, dated March 1, 1999, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation and Manufacturers and Traders Trust Company;
36. ContiMortgage Corporation Pooling and Servicing Agreement Series 1999-3, dated June 1, 1999, between ContiMortgage Corporation, ContiSecurities Asset Funding Corporation, ContiWest Corporation, Norwest Bank Minnesota, National Association, and Manufacturers and Traders Trust Company.

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Act 7  
Madison, IA

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State of Utah  
County of Salt Lake

JUN 01 2006

I, the undersigned Recorder of Salt Lake County, Utah do hereby certify that by law I have the custody of a seal and all papers, documents, records and other writings required or permitted by law to be recorded and that the annexed and foregoing is a true and full copy of an original document on file as such Recorder

Witness my hand and seal of said Recorder this

day of \_\_\_\_\_ 20\_\_\_\_  
GARY W. GOTT, RECORDER  
*Emily Backus*  
Emily Backus  
Deputy Recorder